

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAMUEL BETO	:	CIVIL ACTION
	:	NO. 14-cv-2522
v.	:	
	:	
KIMBERLY A. BARKLEY, et al.	:	

ORDER

AND NOW, this 12th day of February, 2015, upon consideration of defendants' motion to dismiss plaintiff's complaint (Dkt. No. 2), plaintiff's response (Dkt. No. 5) defendants' replies (Dkt. Nos. 6 and 7) and plaintiff's surreply (Dkt. No. 8), and consistent with the accompanying memorandum of law, it is ORDERED that defendants' motion is GRANTED and plaintiff's complaint is DISMISSED.

Plaintiff may file an amended complaint on or before March 2, 2015. Plaintiff is granted leave to amend his state law claims only to the extent that he is able to set forth sufficient allegations to show that the conduct of any defendant was outside of the scope of his or her employment. Plaintiff is granted leave to amend his section 1983 claims against defendants in their individual capacity only and only to the extent that he is able to plead facts sufficient to show defendants' personal involvement in the alleged violation of his rights. In order to amend his claims against Conjour, Christian, Bushey and Ward, plaintiff must also plead facts sufficient to show that his claims are not barred by the statute of limitations.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.